



Editorial Opinion

By Robert S. Gerber

— Rolling Up Our Sleeves —

When I was a young college student, I used to have long discussions with my classmates over the importance of public service and volunteerism. We were young, we had time on our hands and we wanted to change the world.

As we approach 40 years of age, my best friends from college now all have successful careers. None of them, however, has volunteered any significant amount of personal time for charity or other community work.

Nonetheless, I have volunteered my own significant personal time throughout the years -- as the Chair of the Litigation Section, a board member of a worldwide charitable health organization, an individual provider of *pro bono* legal services to the the indigent and a volunteer for various community and religious organizations. With the increasing pace of the profession and the seemingly endless spiral of salaries and billable hours, it is not surprising when young lawyers ask me why they should bother to donate time to charitable, professional or community organizations. For their benefit, and perhaps yours, let me share with you why I believe we should and must do so.

— We Owe it to the Profession —

We are not born lawyers; we become them. We owe our education, our skills and our love for the law to those who preceded us: our law professors who taught us to think like lawyers; the judges who we served as clerks or who gave us advice on how to become successful attorneys; the associates, partners and peers who trained us; and the host of judges and attorneys throughout our state who volunteer their own time to ensure that our court rules, our State Bar and our system of justice continue to operate fairly and efficiently. One cannot imagine what the profession would be like if attorneys cared nothing for the system or were unwilling to do anything to improve the practice of law or ensure the fair and efficient administration of justice. Indeed, there could be no profession under those circumstances.

As a result, we are indebted to each other in this profession. We have inherited the right to receive the fruits and satisfaction of the practice of law, but with that right comes the responsibility to ensure that the legal system continues to function fairly and efficiently. We owe our time and energy to ensure that the system keeps working for the next generation of attorneys who will follow in our footsteps.

— We Owe it to the Community —

Law is a quasi-public profession. It is a calling that has a symbiotic relationship with organized society. Without the rule of law, there would be no role for lawyers; without lawyers, no equitable rule of law. Without our publicly funded court system, trials would be replaced by gunfights. Without lawyers, those with more

resources, education, intelligence or other societal advantages would likely dominate whatever dispute resolution process did exist. Attorneys are both products of and necessary participants in our community's justice system.

Our profession may be the butt of jokes in our community, but we truly are privileged. The public may sometimes balk at our zealousness and the expensiveness of our fees, but we are generally respected for our intelligence and our tenacity. We make a good living. Our children are often able to go to the best schools and receive the best care. We are invited to sit on boards, participate in programs and give speeches. Our opinions are considered and respected.

Our community makes it possible for us to practice this profession. It funds our court system, in which so many of us make our living. The businesses and organizations in our community are our clients, who pay our fees. The community allows us to be self-regulated; we do not have regulatory organizations within the executive branch of our government watching over our shoulders. We cannot fairly take and accept all of these benefits from our community and give nothing in return.

— We Owe it to Ourselves —

Without question, some of the most satisfying moments I have had as a lawyer and a human being have resulted from my volunteer activities. Paying clients certainly do appreciate good legal work. I have never felt as much gratitude or pleasure from handling a lawsuit for a paying client, however, as I have from my volunteer activities, like serving the homeless at a free Thanksgiving dinner, obtaining political asylum for an abused and persecuted teenager from Central America or raising funds for basic health care for indigent mothers and children in Mexico. These have been intellectually, spiritually and emotionally uplifting experiences that have changed my life. I cannot say the same about any of the motions for summary judgment I have drafted.

In addition to personal growth, I have also benefited professionally from volunteer work. By serving the community, I have earned valuable experience as a lawyer (including my first administrative law bench trial and my first federal court appellate argument). I have been introduced to numerous people who have become clients. I have also had the pleasure of meeting many prominent judges and lawyers.

I have found lawyers, as a group, to be very giving of their time and energy to public service. Accordingly, some may view this editorial as "preaching to the choir." However, as a profession, we can still do better. If you do not want to stray far from what you do best, then start with the profession. Our justice system is the best in the world, but it is not perfect. There is much work to do. We need better access to the courts for the indigent, more efficiency in the discovery process, better pay for and treatment of jurors and safeguards to ensure the independence of our judiciary. I, for one, intend to get in there, roll up my sleeves, and help improve the system. Will you join me?

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The journal is sent free to members of the Litigation Section.

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